

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,

v.

BENJAMIN KEVIN MITCHELL,
Defendant/Judgment Debtor,
and
MIKRON WASHINGTON, LLC.,
Garnishee.

NO. 2:17-CV-01491-JLR
(2:07-CR-00095-RSL-1)

**[Proposed] Continuing
Garnishee Order**



A Writ of Continuing Garnishment, directed to Garnishee, Mikron Washington, LLC (Mikron), has been duly issued and served upon the Garnishee. Pursuant to the Writ, Garnishee Mikron filed an Answer on October 13, 2017, stating that at the time of the service of the Writ, Defendant/Judgment Debtor Benjamin Kevin Mitchell (Mr. Mitchell), was an active employee who was paid bi-weekly.

After notification of the garnishment proceeding was mailed to the parties on or about September 19, 2017, the Defendant/Judgment Debtor

1 objected to the garnishment and requested a hearing. The Court held a
2 hearing and overruled Mr. Mitchell's objections on November 2, 2017.

3 IT IS THEREFORE ORDERED as follows:


4 That the Garnishee, Mikron Washington, LLC, shall pay to the United
5 States District Court for the Western District of Washington, the non-exempt
6 earnings payable to Defendant/Judgment Debtor Benjamin Kevin Mitchell,
7 upon each period of time when Defendant/Judgment Debtor Mitchell is
8 entitled to receive such funds, and shall continue said payments, if any, until
9 Defendant/Judgment Debtor Mitchell's debt is paid in full or until
10 Defendant/Judgment Debtor is no longer an active employee of Garnishee
11 and the Garnishee no longer has possession, custody, or control of any funds
12 due and owing to the Defendant/Judgment Debtor or until further order of
13 this Court. This includes all monies required to be previously withheld by the
14 Garnishee, in accordance with the Writ of Continuing Garnishment;
15

16 That such payments shall be applied to Defendant/Judgment Debtor
17 Mitchell's outstanding restitution obligation, by the United States District
18 Court for the Western District of Washington; and
19

20 That the payments shall be made out to the United States District
21 Court, Western District of Washington, referencing Case Nos. 2:07-CR-00095-
22 RSL-1 and 2:17-CV-01491-JLR, and delivered either personally or by First
23 Class Mail to:
24

25 United States District Court, Western District of Washington
26 Attn: Financial Clerk – Lobby Level
27 700 Stewart Street
28 Seattle, Washington 98101

1
2 DATED this 3RD day of December, 2017.

3
4 
5 JUDGE JAMES L. ROBART
6 United States District Court Judge

7 Presented by:

8
9 s/ Kyle A. Forsyth
10 KYLE A. FORSYTH, WSBA #34609
11 Assistant United States Attorney
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28